

PATENT

Atty Docket: P70904US0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No: 6839
Veronique Coxam, et al.) Art Unit: 1611
Serial No: 10/552,723) Examiner: Joseph Kudla
Filed: October 11, 2005)
For: NUTRITIONAL OR THERAPEUTIC COMPOSITION)
CONTAINING THE COMPOUND OLEUROPEINE OR)
ONE OF THE DERIVATIVES THEREOF)

October 8, 2008

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP AMENDMENT
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants acknowledge receipt of the Office Action mailed July 8, 2008 in connection with the above-identified application. With the enclosed petition for a two-month extension of time, this response is timely as it is being filed on or before October 8, 2008.

In response to the Office Action, imposing a restriction requirement between the claims of Group I (claims 1-2, 4-14, 16, and 18-23), Group II (claims 1-3, 5-14, 16-17, and 19-23), and Group III (claims 15 and 24), applicants hereby elect the claims of Group I (claims 1-2, 4-14, 16, and 18-23) with traverse. Applicants further elect the following species: osteoporosis. Claims 1-5, 7-14, 16, 18-19, and 21-23 read on the elected species.

Applicants traverse the restriction requirement in part because they submit that the claims of Groups I and II can be examined together. Group I includes all of the claims within Group II except for claims 3 and 17, each of which relate specifically to stimulation of bone formation. It is not believed that searching these additional two claims will impose a significant burden. Moreover, applicants note that the examples detailed in the specification show the simultaneous inhibition of bone resorption and stimulation of bone formation by oleuropein. This is an additional reason why Groups I and II should be examined together.

The Examiner is invited to telephone the undersigned representative at the number set forth below if he has questions or wishes to discuss this application.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: 16-8-08

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